

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CHANEL, INC.

Civil Action No. 1:23-cv-06781-NRB

Plaintiff,

v.

VILLO & CO., LLC and NEELY G. MULLINS,

Defendant.

~~[PROPOSED]~~ STIPULATED FINAL
JUDGMENT AND PERMANENT
INJUNCTION

WHEREAS, this action having been commenced on August 2, 2023, by Plaintiff Chanel, Inc., a New York corporation (“Chanel”) against Defendants Villo & Co., LLC (“Villo”) and Neely G. Mullins (“Mullins”) (collectively, “Defendants”), alleging *inter alia*, trademark counterfeiting, trademark infringement, unfair competition and false endorsement and association (the “Action”),

WHEREAS, without the admission of any liability, the parties desire to settle pursuant to the terms of a confidential settlement agreement entered into on November 29, 2023 (the “Settlement Agreement”) and have amicably resolve their dispute to each of their satisfaction, accordingly, and

WHEREAS, each party hereby represents that it (i) has consulted with independent legal counsel of its choosing with respect to the parties’ Settlement Agreement, and with respect to this Stipulated Final Judgment and the matters contemplated by this Stipulated Final Judgment and the Settlement Agreement; and (ii) is entering into this Stipulated Final Judgment freely with full knowledge and understanding of its rights and obligations hereunder.

IT IS STIPULATED, ORDERED, ADJUDGED, AND DECREED that:

1. Chanel owns all trademark rights in and to the famous CHANEL mark and related marks, including the iconic interlocking  Monogram marks (collectively, the “Chanel Marks”), which it has used worldwide for many decades in connection with the promotion and sale of a wide variety of luxury goods and services.
2. Chanel is the owner of trademark registrations for the Chanel Marks worldwide in connection with a variety of goods and services, including numerous U.S. Trademark Registrations for jewelry, hair accessories, and clothing, including but not limited to the following:

MARK	REG. NO.	REG. DATE	RELEVANT GOODS
	1501898	08/30/1988	<i>Inter alia</i> , costume jewelry (Class 14), brooches and buttons for clothing (Class 26), and keychains (Class 6)
	4241822	11/13/2012	Clothing (Class 25)
	1241264	06/07/1983	<i>Inter alia</i> , Tee-Shirts (Class 25)
	1271876	03/27/1984	Clothing (Class 25)
	3025936	12/13/2005	Hair accessories, namely, barrettes (Class 26)
CHANEL	902190	11/10/1970	Bracelets, pins, and earrings (Class 14)
CHANEL	3133139	08/22/2006	Jewelry and watches (Class 14)

CHANEL	3134695	08/29/2006	<i>Inter alia</i> , hair accessories, namely, barrettes (Class 28)
CHANEL	612169	09/13/1955	Necklaces (Class 14)

3. Defendants and their officers, agents, servants, employees, attorneys, and all persons in active concert and participation with them, or acting under their direction and control are hereby permanently restrained and enjoined from:

- (a) manufacturing or causing to be manufactured, importing, advertising, promoting, distributing, selling, or offering to sell goods bearing the Chanel Marks or any mark that is confusingly similar to any of the Chanel Marks;
- (b) using the Chanel Marks in connection with the sale of goods or services without the express consent of Chanel;
- (c) using any marks, logos, and/or product design which may be calculated to falsely represent that the services or products of Defendants are sponsored by, authorized by, endorsed by, or in any way associated with Chanel;
- (d) falsely representing Defendants as being connected with Chanel, through sponsorship or association;
- (e) engaging in any act which is likely to falsely cause members of the trade and/or the purchasing public to believe any goods or services of Defendants are in any way endorsed by, approved by, and/or associated with Chanel;
- (f) using any reproduction, counterfeit, copy, or colorable imitation of the Chanel Marks in connection with the publicity, promotion, sale, or advertising of any goods or services sold by Defendants, including, without limitation, jewelry, hair accessories or clothing bearing any of the Chanel Marks or a colorable imitation thereof;
- (g) affixing, applying, annexing or using in connection with the sale of any goods, a false description or representation, including words or other symbols tending to falsely describe or represent Defendant's goods as being those of Chanel, or in any way endorsed by Chanel;
- (h) otherwise unfairly competing with the Chanel;
- (i) posting any images or videos depicting the Chanel Marks on websites, social media accounts, or any other web-based or media platform under Defendants' control or direction; and

(j) effecting assignments or transfers, forming new entities or associations or utilizing any other device or engaging in any other actions for the purpose of circumventing or otherwise avoiding the prohibitions set forth in subparagraphs (a) through (i).

4. Chanel shall have the right to seek sanctions for contempt, compensatory damages, injunctive relief, attorneys' fees, costs, and such other relief deemed proper in the event of a violation or failure by Defendants to comply with any of the provisions hereof. The prevailing party in any such proceeding shall be entitled to recover its attorneys' fees and costs.

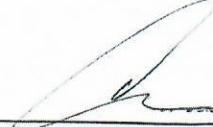
5. The claims for relief between Chanel and Defendants are hereby dismissed with prejudice, subject to the terms of the Settlement Agreement. This Stipulated Final Judgment shall be conclusive for purposes of collateral estoppel regarding all issues that have been or could have been brought on the same operative facts.

6. The parties' respective attorney's fees and costs incurred in connection with this action shall be borne as per the terms of the Settlement Agreement.

7. This Court will retain continuing jurisdiction over this cause to enforce the terms of this Stipulated Final Judgment and the Settlement Agreement between the parties.

8. All infringing and counterfeit Chanel-branded products and component parts in Defendants' possession shall be surrendered to Chanel, pursuant to the terms of the parties' Settlement Agreement.

SO STIPULATED on this 11 day of December, 2023.


Andrea L. Calvaruso, Esq.
KELLEY DRYE & WARREN LLP
Attorneys for Plaintiff

Neely G. Mullins
DEFENDANT NEELY G. MULLINS

Neely G. Mullins
Name: Neely G. Mullins
Title: Owner
DEFENDANT VILLO & CO., LLC

SO ORDERED on this 12 day of December, 2023.

Hon. Naomi Reice Buchwald
Hon. Naomi Reice Buchwald, U.S.D.J.